IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.25 OF 2007

IN

SUMMARY SUIT NO.3236 OF 2006

Panna @Poonam Pandharinath Waringe. ...Plaintiff.

vs.

Mr.Balraj Chopra. ...Defendant.

Mr.Basant Tilokani i/b. Basant Tilokani &Co., for Plaintiff.

Mr.Patil i/b. R.S.Chaubey, for Defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 13th February, 2007.

P.C.:-

1. Admittedly the defendant has been served with the summons for judgment on 11.1.2007. Within the period allowed by Order 37 of C.P.C. there is no application made for leave to defend. Therefore, in terms of Order 37 of C.P.C., the plaintiff is entitled to a decree.

2. Heard the learned Counsel appearing for plaintiff. Perused

the record. The defendant had issued a cheque. That cheque was dishonoured. The demand notice was issued. The acknowledgment shows that the demand notice was duly received by the defendant which has not been replied to. So also no application is made for leave to defend. The summons for judgment is therefore, granted. Suit of the plaintiff is decreed in terms of prayer clause of the suit. Refund of court fees as per rules.